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ABSTRACT

This booklet presents information on a Federal program which provides funds to institutions that feed children not in school. Day care, Head Start, and neighborhood centers and summer recreation programs qualify for aid under this program. Section I deals with the operation of the Special Food Services Program for Children (SFSPC) and is divided into sections concerning legislation, regulations, program finances, donated commodities, equipment, and summer feeding requirements. Section II, the SFSPC Bill of Rights, enumerates 12 rights pertaining to federal food programs guaranteed by law. The booklet provides specific information on funding applications. (ST)

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SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN

PS 006708

A FEDERAL FOOD PROGRAM FOR

- DAY CARE CENTERS
- HEAD START CENTERS
- SUMMER RECREATION PROGRAMS
- NEIGHBORHOOD CENTERS

SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN

The purpose of this booklet is to present information on the Special Food Service Program for Children (SFSPC), which provides federal funds to institutions feeding children not in school. Those applying for the program have sometimes been put-off or misled because they were not familiar with the program and its operation. Knowledgeable applicants stand a much better chance of being treated fairly.

Recent changes in the law make the SFSPC (also referred to as the Vanik Program, after its Congressional sponsor, Charles A. Vanik) permanent; it is no longer regarded as a "pilot" program. Since innovative ideas on caring for children outside home and school are generating unprecedented interest across the nation, it is an appropriate time for those working with children, to investigate resources such as the nutrition program. It is also the time for groups with similar interests to realize their collective strength and organize on local and state levels, to insure that the SFSPC meets the needs of all eligible children.

Section I deals with the Operation of the SFSPC and is broken down into subsections, accordingly:

A. LEGISLATION
B. REGULATIONS
C. PROGRAM FINANCES
D. DONATED COMMODITIES
E. EQUIPMENT
F. SUMMER FEEDING REQUIREMENTS

Section II, the SFSPC Bill of Rights, enumerates twelve rights guaranteed by the law and by the U. S. Constitution.

A. LEGISLATION

Section 13, National School Lunch Act, as amended

The Special Food Service Program for Children became law as Section 13 was added to the amended National School Lunch Act in 1968 (Public Law 90-302). The purpose of the program is to assist states through grants-in-aid to "maintain, initiate, or expand nonprofit food service programs for children in service institutions." This legislation provided an authorization of 32 million dollars for each of the fiscal years 1969, 1970 and 1971. Supplementary legislation provided for extended support through fiscal year 1973.

In September of this year important further amendments to the National School Lunch Act became law. The SFSPC is

no longer restricted by limited funding authorizations; instead, there is now authorized "to be appropriated such sums as are necessary" for each of the next three fiscal years. It is apparent that Congress realized that its legislative intentions had been thwarted, by a lack of enthusiasm within the U. S. Department of Agriculture, and took this very significant step to assure that eligible centers will not be 'frozen' (arbitrarily denied) from participation.

Simply stated, this program is intended to meet the nutrition needs of children who are not in school and whose diets are inadequate. The program has two components, year-round operations and summer-only programs. The following paragraphs deal with important points in the legislation. For a bet ter understanding of how the program is supposed to function, refer to the REGULATIONS section, where you will find an explanation of the regulations put into effect by the U.S. Department of Agriculture (U.S.D.A.). To become more familiar with fiscal and funding aspects of the SFSPC, refer to the PROGRAM FINANCES section.

According to the law, service institutions may sponsor the program; "service institution" means "private, nonprofit institutions or public institutions, such as child care centers, which provide day care, or other child care where children are not maintained in residence, for children from areas in which there are high concentrations of working mothers . . ." It is reasonable to suggest that wherever a day care program is operating, there is a high concentration of working mothers in the neighborhood. And poor economic conditions can be said to exist in any neighborhood served by a Title I school, any Model Cities area, or in any area with a high rate of unemployment or a high percentage of disadvantaged residents.

Generally, institutions favored for this program have been day care centers, recreation programs and institutions serving handicapped children; however, eligible sponsoring agencies can also be Head Start programs, drug rehabilitation centers, settlement houses and neighborhood youth centers, etc.

Separate provisions cover those centers that provide services for handicapped children and institutions that develop "special summer programs providing food service similar to that available to children under the National School Lunch and School Breakfast Programs during the school year."

The clause restricting the program to non-residential insti-

tutions is less clear than it appears. When arguing for this program, Congressman Charles Vanik intended to exclude certain agencies with ample sources of aid, such as orphanages. His intention was not to make it difficult for nonprofit summer camps to participate in the program. Unless a more clear definition is provided, it is best to assume that the restrictions apply only to permanent residence situations, where children are maintained in residence for an indefinite period of time.

New legislation in September of 1972 (Public Law 92-433) extended extra assistance to the summer program, by allowing the borrowing of 25 million dollars to supplement funds already available. This was done to assure that institutions applying for the first time would not be automatically shut-out, to assure program expansion. The law states that where feasible, summer programs should utilize facilities available through the public and nonprofit private schools.

The Food and Nutrition Service Regional Offices (FNSRO), part of the U.S.D.A., administers the SFSPC directly in 18 states; in the remaining states, the state education agencies assume administrative responsibilities. The FNSRO or state education agency disburses funds within each state for the purpose of obtaining agricultural commodities and other food and may "include the cost of the processing, distributing, transporting, or handling thereof." Also, the agency is charged with the responsibility of helping program sponsors bear the cost of buying or renting equipment. (See EQUIPMENT section). Up to 25% of the federal funds allocated to each state may be used to cover up to 75% of local equipment costs. Equipment includes what is required for "the storage, preparation, transportation, and serving of food..."

A nifty apportionment scheme assures that no state will receive a grossly unfair share of the funds, at least relative to the assistance provided other states. A basic grant of 50 thousand dollars is provided each state; the remaining funds are distributed on a basis reflecting the population of children from poor families in the state, in relation to a similar national figure. Two percent of the money is set aside for use by Puerto Rico, the Virgin Islands, America Samoa and the Trust Territory.

Service institutions are reimbursed for the cost of obraining food, up to a maximum of 10 cents for snacks, 15 cents for breakfast, and 30 cents for lunch and 30 cents for supper. Special assistance is available to centers with unusually tight finan-

cial situations and a high proportion of non-paying children; details are in section C.

Meals served must meet minimum nutrition requirements set by the Secretary of Agriculture, as explained in Section B. Also, these meals must be provided free or at reduced cost to children who cannot afford to pay. The law requires service institution authorities to publicize their policy determining eligibility for free or reduced price meals. The criteria used must include the level of income, the number in the family and the number of children in the family attending school and/or service institutions.

For an idea of the availability of donated foods from the federal government, a direct quote from the National School Lunch Act, Section 13(2)(A), is appropriate:

> Irrespective of the amount of funds appropriated under this section, foods available under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) or purchased under section 32 of the Act of August 24, 1935 (7 U.S.C. 6112c), or section 709 of the Food and Agricultural Act of 1965 (7 U.S.C. 1446 a-1), may be donated by the secretary to service institutions *in accordance with the needs determined by authorities of these institutions for utilization in their feeding programs.*

This means that SFSPC centers have a legal right to receive the same federally donated commodity foods as are provided for the school lunch and breakfast programs. It is equally significant that the law provides for the institutions' right to determine their commodity food needs. Further comments dealing with commodity foods are provided in Section D.

B. REGULATIONS

7 C.F.R. S 225 et seq (as contained in 35 Fed. Reg. 6255) amended, April 17, 1970

7 C.F.R. S225 et seq (as contained in 37 Fed. Reg. 6177) March 25, 1972

One of the responsibilities of the U.S.D.A., since it administers this program, is to write and make known regulations which govern the operation of the Special Food Service Program for Children. These regulations, revised from time to time, have the power of law. In a sense, the regulations are almost as important as the legislation; being familiar with them gives a good understanding of technicalities and of the Admin-

istration's attitude toward the program. Following is a summation of important points, under the appropriate headings.

ADMINISTRATION

The Food and Nutrition Service acts on behalf of (and is part of) the U.S.D.A. Under the FNS, the Child Nutrition Division is directly responsible for administration, as it operates within the FNS. In most states, the School Food Service Division of the Department of Education runs the program, while the Child Nutrition Division within the FNSRO directly administers the program in the remaining states.

APPORTIONMENT OF FUNDS TO STATES

Each fiscal year, 2% of available funds are split amongst Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands. Each of the 50 states receives a basic grant of 50 thousand dollars; also, each state gets a proportionate share of remaining funds based on the number of children aged 13-17 from families with incomes of less than 3,000 dollars a year, in relation to a corresponding figure for the entire country.

During the year, there is at least one reapportionment; that is, the shares of money are juggled, in a vain attempt to satisfy some states' most urgent needs for additional funding, at the expense of the other states. See Section C for a further explanation. If any state's money goes unspent in any fiscal year, it can still be used in the first three months of the following year.

USE OF FUNDS

Federal funds for this program can be used for two purposes: to reimburse service institutions for meals provided children and to purchase or rent equipment for meal service. Details are provided in section C.

REQUIREMENTS FOR PARTICIPATION

Service institutions must make written application to the state agency, or where appropriate, to the Food and Nutrition Service Regional Office; more specific information on applying may be found in the Bill of Rights section.

Applicants must provide a great deal of information; in

fact, it is probably as challenging to apply for the program as it is to operate it. The data is necessary to support the institution's claim for eligibility, that is, that it is non-profit and non-residential and serves children for whom the program is intended. Applying for the summer program may be especially trying. But assistance can be expected from the state agency, as it has an administrative outreach responsibility; also, advice should be sought from other centers in the community which are already participating.

Annually state agencies and FNSROs conduct a review of all year-round programs, to evaluate continued need to participate. Institutions are not required to reapply, but new information may be requested for the evaluation. It is unusual for a participating institution to be terminated, unless there has been an obvious change affecting its eligibility. If a center is terminated, notification citing the reason must be made.

FREE AND REDUCED PRICE MEALS

Meals are to be served free or at a reduced price to children not able to pay. Discretion in determining who is eligible for free and reduced price meals is in the hands of the service institution personnel. As far as is practicable, public welfare and health agencies are supposed to be consulted.

REQUIREMENTS FOR MEALS

Meals must include the following:

(Age 1 up to 3)

Breakfast: one-half cup of milk; one-quarter cup of juice or fruit; one-half slice of bread or equivalent or one-quarter cup of cereal. *Lunch or supper:* one-half cup of milk; one ounce (edible portion as served) of lean meat or an equivalent quantity of an alternate; one-quarter cup of vegetables or fruits; one-half slice of bread or equivalent; one-half teaspoon of butter or fortified margarine. *Supplemental food:* one-half cup of milk or juice; one-half slice of bread or equivalent.

(Age 3 up to 6)

Breakfast: three-quarters cup of milk; one-half cup of fruit or juice; one-half slice of bread or one-third cup of cereal. *Lunch or supper:* three-quarter cup of milk; one and a half ounces of lean meat or an equivalent quantity of an alternate; one-half cup of vegetables or fruits; half a slice of bread and

one-half teaspoon of butter or fortified margarine. *Supplemental food:* one cup of milk or juice or an equivalent quantity of fruit or vegetable; one-half slice of bread or equivalent.

(Age 6 up to 12)
Breakfast: one cup of milk; one-half cup of juice or fruit; one slice of bread or equivalent or three-quarters cup of cereal. *Lunch or Supper:* one cup of milk; two ounces of lean meat or alternate; three-quarters cup of vegetables or fruits or both consisting of two or more kinds; one slice of bread and one teaspoon butter/fortified margarine. *Supplemental food:* one cup of milk or juice or equivalent; one slice of bread.

(Age 12 and over)
Adult-sized portions based on the greater food needs of older boys and girls.

Also, service institutions are required to include additional foods, as often as practical. Breakfast should include an egg or serving of meat or cheese or fish as often as possible. Likewise, some protein food should be included with supplemental snacks, as often as possible.

Special provisions are made to protect centers where there is particular difficulty in obtaining whole milk on a continuing basis, so that such problems do not prevent centers from participating. Also, substitutes for the bread requirement are allowed where there are special considerations, as in the Virgin Islands. Likewise, waivers for food requirements are allowable for individual children with medical considerations and variations in menus are acceptable where such change is necessary to meet ethnic, religious, economic, or physical needs.

REIMBURSEMENT PAYMENTS

The maximum reimbursement is 30 cents for lunch, 30 cents for supper, 15 cents for breakfast and 10 cents for supplemental food (snacks), or the cost of obtaining food, whichever is less. Where nearly all children at a center are unable to pay for meals, increased financial assistance may be authorized, as explained in section c.

EQUIPMENT

In each state, up to 25% of the federal SFSPC money may

be used by the state for the purchase and rental of equipment by local projects. Money available for equipment funding is granted by the state agency to service institutions on the basis of relative need.

Service institutions which are or wish to participate in the program, and which are in need of financial assistance to acquire equipment should send a written request to the state agency, or FNSRO, where appropriate. As is the case with reimbursement claims for food, vouchers verifying equipment expenses require a good deal of information. There are no hidden difficulties; it is simply a matter of justifying the claim and pressuring for assistance. See Section E.

C. PROGRAM FINANCES

To gain a useful understanding of the fiscal and financial aspects of the SFSPC is a challenge that has frustrated many. Success carries with it not only a notable sense of achievement, but an insight into how local money problems are, to a large degree, the result of compromises and communication gaps at the federal level.

Institutions participating in the Vanik Program receive enough money to cover the cost of food. U.S.D.A. guidelines prescribe that reimbursements for food will not exceed a maximum per meal rate, enumerated in Section B. Since the cost of food varies in different parts of the country and since meal service operations differ in quality, not all centers receive the same rate of reimbursement.

Though the rule of thumb is that centers are reimbursed for the cost of food, there are two types of exceptions.

The first type of exception is a lower reimbursement, as is the case in Rhode Island. Since each state is allotted a set amount of money each year for the Vanik Program, the state administrators are in a good position to judge whether or not they can allow expansion to new centers. In the past, many states, burdened with static funding levels imposed by U.S.D.A. from year to year, have not expanded at all; this is known as putting a 'freeze' on the program. During a 'freeze', support is provided only to those centers already participating. The state administrators in Rhode Island took a different approach. Instead of imposing a freeze on their limited funds, they admitted new institutions, forcing a constant lowering of reimbursements, below the cost of purchasing food. The law gives

the administrators the discretion to lower the rates, as long as the institutions affected are given advance notice. Though administrators have this power, participant institutions should push for the financial support required to run a high quality meal service program.

The second type of exception is definitely a favorable one. Institutions that are hard-pressed for finances and are serving a high proportion of children who cannot afford to pay for their meals, have a legal right to apply for a higher than usual reimbursement.

The higher rate equals either 80% of total operating costs for the meal service or 100% of cash expenditures, whichever is less. This formula is confusing, so confusing that officials in the U.S.D.A. are unable to pass the buck to a point where a rational accounting of the scheme can be obtained. The consequential point for applicants and sponsors to realize is that however figured, there is extra funding for which application can be made. Written requests should be submitted to the same office handling other application procedures.

Since relatively few higher rates of reimbursement have been approved, (Georgia, for instance, has 140 programs and none get this partial treatment; the situation is somewhat more encouraging in most other places.) hopes for extra assistance should not be raised too high. Sponsors should not hesitate to apply, if justification for the request can be presented. Emphasis should be placed on the degree of poverty in the neighborhood served, and on the cost of providing meal service, with special circumstances, such as the agency's funding difficulties.

The U.S.D.A. relies on two sources for financing the SFSPC: direct appropriations and Section 32 of the Agricultural Act of 1935.

Section 32 authorizes the use of a portion (30%) of import duties in the federal nutrition programs. In June of 1971 Congress passed a law (Public Law 92-32) authorizing the Secretary of Agriculture to use 135 million dollars from Section 32 to maintain and expand the Vanik Program for two years.

Also, in each of the past five fiscal years 32 million dollars have been authorized by Congress for Vanik Programs. The original authorization was part of the amended National School Lunch Act, and was extended by Public Law 92-32, mentioned above. The amendments to the National School Lunch Act, which were adopted in September 1972,

provide Congress with unlimited authority to appropriate funds for the SFSPC.

The Secretary has failed to utilize these funds, so that allocations to the states are not sufficient to meet the need. The consequences of U.S.D.A. inaction are such that North Carolina, which has 569 thousand children from very poor families, was allocated only slightly over one million dollars last year. The state returned 40% of that money to Washington. It has become clear that the U.S.D.A. has blatantly disregarded a legislative mandate to expand and improve the program, and some states have failed in their responsibility to implement it.

The Nixon Administration has already proposed that 74 million dollars be spent on the SFSPC this year, which is a substantial increase over preceding budget requests.

In essence, all that potential sponsors for the Vanik Program need to know is that there is more than enough money available to carry it out. In fact, the Congressional authorization of 135 million dollars available at the Secretary's discretion is still available, since it is part of a revolving fund. Pressure that is brought to bear on state administrators will eventually be felt by U.S.D.A. officials. The U.S.D.A. will release more money and approve new programs and assume a more responsive role as pressure (applications for participation equal pressure) demands those actions. With the new open-ended funding provisions, the lever for change is, for the first time, in the hands of the people.

Apportionment and Reapportionment

Each year the U.S.D.A. apportions shares of Vanik funds to each state. Since 1960 census figures are used and since the U.S.D.A. apportions much less than half of the money available for this purpose, the need in most states is not met. So, at least once every year, there is a reapportionment. This means that the states' shares are reevaluated; in states that have funds uncommitted to programs, those funds are impounded and redistributed to states where the demand for funds is critical.

This reapportionment is a fallacious exercise, a hoax. In reality, there is not any extra money. Those states that supposedly have a surplus actually are not performing their responsibility to feed hungry children. And in the states that are

short of funds, much more help is needed than is presently provided by reapportionment.

Set forth below is a list of the states and how they fared with the reapportionment adjustments conducted last April. In these states people have good reason to be upset: Alabama, Alaska, Arkansas, California, Idaho, Iowa, Kansas, Kentucky, Maryland, Michigan, Mississippi, Montana, Nebraska, North Carolina, North Dakota, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia, Wyoming, Guam, Puerto Rico, America Samoa and the Trust Territory. A large portion of the money apportioned to each of these states was returned later in the year, to the federal government, since it was evident that the state agencies did not intend to use the funds for improving or expanding the Vanik Program.

FISCAL YEAR 1972

STATE	ORIGINAL APPORTIONMENT (dollars)	APRIL REAPPORTIONMENT
Alabama	816,003	391,379
Alaska	68,526	22,250
Arizona	195,570	183,814
Arkansas	522,579	157,460
California	863,437	656,700
Colorado	182,941	182,941
Connecticut	132,957	248,036
Delaware	78,953	105,864
Dist. of Columbia	112,253	182,259
Florida	620,209	863,146
Georgia	885,483	885,483
Hawaii	87,934	81,766
Idaho	103,174	48,791
Illinois	627,090	707,863
Indiana	347,392	421,845
Iowa	318,165	173,711
Kansas	213,137	143,137
Kentucky	665,438	323,964
Louisiana	736,524	736,524
Maine	134,006	123,309
Maryland	269,011	183,142
Massachusetts	248,512	428,989
Michigan	530,133	436,405
Minnesota	343,488	550,061
Mississippi	795,224	185,968
Missouri	505,038	511,692
Montana	105,811	60,919
Nebraska	190,481	126,958
Nevada	62,584	58,893
New Hampshire	77,667	77,667
New Jersey	286,850	391,011
New Mexico	190,414	165,416
New York	887,887	849,988
N. Carolina	1,116,064	738,144
North Dakota	138,310	41,005
Ohio	629,820	793,662

Oklahoma	357,641	357,613
Oregon	143,790	131,952
Pennsylvania	767,827	637,848
Rhode Island	99,587	73,663
S. Carolina	701,090	349,092
S. Dkaota	155,445	140,373
Tennessee	784,560	497,322
Texas	1,492,708	738,144
Utah	98,559	62,796
Vermont	84,082	104,647
Virginia	648,937	398,979
Washington	189,961	227,534
West Virginia	380,947	271,106
Wisconsin	293,621	366,614
Wyoming	71,680	23,115
Guam	9,462	2,866
Puerto Rico	384,300	0
Virgin Islands	4,382	7,468
Samoa, American	3,693	0
Trust Territory	13,663	6,265
TOTAL	20,775,000	20,775,000

D. DONATED COMMODITIES

The availability of commodity foods donated to service institutions by the federal government is of great importance, particularly in light of the sharp rise in food prices. This is a resource too often ignored.

There has been a great deal of confusion over participation of service institutions in the distribution program, the main reasons being that logistical difficulties and a certain amount of lethargy on the part of federal and state program administrators for the Commodity program have made them unresponsive; they often are not aware of official policy. The law which created the SFSPC provided not only reimbursement for food and equipment, but for eligibility to receive these foods. (Public Law 90-302, 82 Stat. 117, approved May 8, 1972).

Many service institutions receive no commodity food at all, or they receive a small variety of foods and at less predictable intervals than do schools operating food service programs. This need not be the case, if people understand the rights afforded them by official policy. The following is an explanation of U.S.D.A. policy, as it relates to the providing of commodity foods.

According to U.S.D.A. Instruction 706-1, Rev. 1, a service institution is a public or private nonprofit program providing nonresidential day care or other child care for children from areas in which poor economic conditions exist or areas in which there are high concentrations of working mothers. A memo (dated February 15, 1972) sent from Juan del Castillo, Director

of the U.S.D.A. Food Distribution Division to U.S.D.A. Regional Administrators, concerning child care institutions, makes it clear that all such centers are eligible to receive commodity foods from the federal government.

U.S.D.A. purchases food for donation under three legislative authorities:

1. Section 32 of the Agricultural Act of 1935
2. Section 416 of the Agricultural Act of 1949
3. Section 6 of the National School Lunch Act, as amended

All nonprofit institutions, whether they receive SFSPC funds or not, are eligible to receive Section 32 and Section 416 commodity foods; and, those Centers participating in the SFSPC are also able to receive Section 6 foods, as provided by the National School Lunch Act. Commodity Distribution programs are administered by various agencies in the different states; for information contact your state's School Food Service Division within the State Department of Education.

Here is a list of available foods: of course, marketing conditions affect variety and quantity, as do seasonal considerations.

Section 416: dry beans, bulgur, butter, cheese (Processed and Bulk), cornmeal, flour (5 kinds), grits, nonfat dry milk, rolled oats, peanut butter, rice salad oil, shortening and rolled wheat.

Section 32: applesauce, apples, dry beans, cranberries, lentils, french fries, poultry, raisins, soup mix, and frozen turkeys.

Institutions participating in the SFSPC can also expect to get Section 6 commodities: apricots, beans, frozen groundbeef patties, frozen chicken, corn, peaches, peas, pineapples, plums, sweet potatoes and tomatoes.

E. EQUIPMENT

Fewer than 10% of children from poor families with working mothers benefit from the year-round SFSPC programs. Though a center may meet eligibility criteria for participation, access to the program is not guaranteed. Problems with the availability of equipment often account for the failure of projects to begin operations, or expand. In some cases it is because sponsors are unaware of the funding resource available through the SFSPC.

The National School Lunch Act provides that of the SFSPC's funds allocated to any state, up to 25% may be used to pay 75% of the cost incurred by the service institution in buying or renting equipment. The law refers to equipment in terms of "storage, preparation, transportation and serving of food."

In some states, like Colorado, state administrators have expanded the program, using all available funds to reimburse institutions for food costs. This makes it impossible to provide any equipment funds whatsoever. But, in states which have not been spending all the money allocated, there is no excuse for requests for equipment funds being denied or delayed. See section C for a breakdown of the state apportionments.

Even if funds are denied, sponsors should take advantage of other resources within the community. For instance, school systems, civic centers, military installations, and churches often have used equipment which can be obtained at little or no cost.

F. SUMMER FEEDING REQUIREMENTS

In March 1972 the U.S.D.A. published amendments to regulations governing the SFSPC. Most of the changes are of a restrictive nature. But, one favorable amendment strikes the word "pilot" from official reference to the program; the effect of conferring this permanence is to thrust the SFSPC into equal stature with the school meal service programs.

Most of the amended regulations published last Spring are directed at the summer feeding component. The deadline for sponsors applying for participation is now April 1st of the calendar year of anticipated involvement. Also, priorities are set for the acceptance of applications. First consideration is given former sponsors whose requests require approximately the same amount of money as was spent in the previous summer. Second consideration is given prospective new sponsors. Third consideration is given applications filed past the April 1st deadline; also, least attention is accorded the extra money requested by sponsors whose applications call for an increase over the previous year's allotments.

Though this priority scheme seems intimidating, this year's increased funding will lessen its impact; there will be more money for summer feeding programs this year than in any other year.

There are also new and somewhat demanding requirements for data on applications; the purpose of these changes is sup-

posedly to tighten-up administration and to avoid abuses; in fact, it has repelled applicants whose facility with filling forms does not match the U.S.D.A.'s penchant for collecting them. Small community oriented programs are particularly threatened by burdensome red tape. State administrators should be utilized for assistance and advice in providing project information, as they are responsible for smooth operation of the program and are provided federal monies for outreach. Since more money will be available for this year, reasonable applications should not be rejected; FRAC welcomes any questions on application procedures, as with other hassles.

SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN BILL OF RIGHTS

The Special Food Service Program for Children, referred to as the Vanik Program, is financed by the federal government and is supposed to provide nutrition for children who are not in school. Those who benefit are children in day care centers, settlement houses, recreation programs, or other nonresidential institutions that serve children, under the age of 21 years. To be eligible for participation, the institution must be nonprofit; also, it must serve children from areas in which either poor economic conditions exist or where there is a high degree of mothers working outside the home.

The Vanik Program is a good idea, but in reality, has failed to meet the needs of poor children. It can become a good program in reality, when people know their rights.

The following is a list of RIGHTS. Knowing them will help in understanding how the program operates and how the children in your community can benefit from this meal service program.

1. THE RIGHT TO HAVE EVERY ELIGIBLE INSTITUTION THAT SERVES CHILDREN OPERATE MEAL SERVICES WITH SUPPORT FROM THE VANIK PROGRAM.

This program is not as well known as many others that are intended to help children. Many eligible institutions are not aware of this resource and do not apply for participation. Since the government has not made a serious effort to advertise the benefits, poor people will have to take this task upon themselves. The United States Constitution states that all people are to be treated equally, so there is no reason that some children should benefit while the majority are ignored or denied. Institutions

serving children should be encouraged to request applications for participation.

In most states this request for an application should be sent to the Director of the School Food Services Office, within the State Department of Education or Public Instruction. There are nineteen exceptions; they are listed below, along with the addresses of offices to which requests should be sent.

(New Hampshire)

Wallace F. Warren, Admin.
Regional Office, FNS
U.S. Dept. of Agriculture
26 Federal Plaza
New York, New York 10007

(Georgia, Tennessee, South Carolina,
Virginia, Virgin Islands)

Russell James, Admin.
Regional Office, FNS
U.S. Dept. of Agriculture
1795 Peachtree
Atlanta, Georgia 30309

(Idaho, Montana, Nevada, Oregon,
Washington)

Charles Ernst, Admin.
Regional Office, FNS
U.S. Dept. of Agriculture
630 Sansome Street
San Francisco, California 94111

(Iowa, Missouri, Nebraska,
Ohio, Wisconsin and North Dakota)

Dennis Doyle, Admin.
Regional Office, FNS
U.S. Dept. of Agriculture
536 South Clark Street
Chicago, Illinois 60605

(Arkansas, Texas)

Martin Garber, Admin.
Regional Office, FNS
U.S. Dept. of Agriculture
500 South Ervay Street
Dallas, Texas 75201

2. THE RIGHT TO RECEIVE AN APPLICATION UPON APPLICATION

In some states people are being refused applications to initiate child care feeding programs; in many areas, people are told not to bother applying, because funding is for the time being, dried-up.

If funding is tight, then when funds *are* available, preference will be given to those applications which were filed earlier. It is also important for the government to know of the demand for funding under this program. More applications should force expansion in support from the government.

3. THE RIGHT OF ALL POOR CHILDREN IN THIS PROGRAM TO RECEIVE THEIR MEALS FOR FREE OR AT A REDUCED COST

"Meals shall be served without cost or at a reduced cost to children determined by the service institution to be unable to pay the full cost. Such determinations shall be made by the service institution authorities in accordance with a publicly announced policy and plan applied equitably on the bases of criteria which, as a minimum, shall include, the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions."
National School Lunch Act (1968), Section 13 (f)

4. THE RIGHT TO INSURE THERE WILL BE NO FORM OF DISCRIMINATION PRACTICED AGAINST CHILDREN WHO RECEIVE THEIR MEALS FREE OR AT A REDUCED COST

"No physical segregation or other discrimination against any child shall be made because of his inability to pay . . . nor shall there be any overt identification of any such child by special

tokens or tickets, announced or published lists of names, or other means." The law is clear.
National School Lunch Act (1968), Section 13 (f)

5. THE RIGHT OF POOR SCHOOL CHILDREN TO EXPECT THAT THEIR NUTRITION NEEDS WILL BE MET DURING THE SUMMER MONTHS

The law provides financial assistance to institutions that develop special summer programs, and have food service similar to the National School Lunch and School Breakfast Programs.

Summer feeding programs help meet children's needs during the months they cannot rely on the school feeding programs. Non-profit, non-residential institutions should apply, to get a summer feeding program started in your community . Hunger doesn't take a summer vacation.

6. THE RIGHT OF SERVICE INSTITUTIONS TO RECEIVE COMMODITY FOODS, JUST LIKE SCHOOLS PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM.

All non-profit centers that serve children are eligible to receive commodity foods from the United States Department of Agriculture (including Head Start). Further, those centers that are part of the Vanik Program are supposed to receive a wide variety of foods, just like the schools that have food service programs.
National School Lunch Act (1968), Section 13

People are often told they are not supposed to receive these foods, when in fact, government policies are very clear. Since commodity foods can make or break a program, people must assert their rights. If your Head Start Program is not receiving fair treatment, you should contact Ms. Mary Ryan, Program Officer, Office of Child Development, Program Management Division, 400 6th St., N.W., Washington, D.C. 20201 (202) 755-7481.

7. THE RIGHT TO A GOOD AND NUTRITIOUS MEAL

Federal regulations require that foods served be of high quality and meet nutrition standards. Though the size of portions is different according to the age of the child being served, the standards are the same as those used for the school food services, and requires well-balanced meals.

8. THE RIGHT OF CHILDREN TO HAVE THEIR ETHNIC, RELIGIOUS, ECONOMIC AND PHYSICAL NEEDS RESPECTED IN THE PLANNING OF MENUS

"The Child Nutrition Division may approve variations in the food components of the meals on an experimental or a continuing basis in any service institution where there is evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic or physical needs."
(35 F.R. 6255) 225.9 (g)

9. THE RIGHT OF CHILDREN NOT BE DENIED THE BENEFITS OF THIS PROGRAM BECAUSE AN ELIGIBLE CENTER CANNOT AFFORD TO BUY NECESSARY EQUIPMENT

Each year millions of dollars are set aside to help with the purchasing and rental of equipment for storage, preparation, transportation and serving of food. Most people are not aware that up to 75% of equipment costs may be subsidized. Centers should expect help in purchasing and renting equipment from the state agency since they have that responsibility.

10. THE RIGHT OF CHILDREN SERVED BY CENTERS THAT ARE ESPECIALLY HARD PRESSED FOR FUNDS TO HAVE CONTINUING MEALS SERVICES PROVIDED

Children should not be punished for attending especially poor centers. For most institutions, the federal government gives money for meals either by paying a set amount for each meal, or by assuming the cost of food. Often the amount of money does not cover total costs, so that the most financially troubled centers need extra help. According to the law, these centers are eligible to receive up to 80% of operating costs, which assures a continuing program.

11. THE RIGHT OF PARTICIPATING CENTERS TO HAVE INSTRUCTIONAL AND TECHNICAL SERVICES PROVIDED BY THE STATE (IN SOME PLACES, THE FOOD AND NUTRITION SERVICE REGIONAL OFFICE) TO ASSURE AN ADEQUATE OPERATION

The state education agency is required to provide assistance, such as in-service training to deal with the problems of menu planning, storage of commodity foods, etc.

12. THE RIGHT TO ASSURE THAT CHILDREN AND FAMILIES OF CHILDREN RECEIVING FREE MEALS HAVE TH SAME CONSTITUTIONAL RIGHTS AS EVERYONE ELSE — ALSO, MEAL BENEFITS CANNOT BE COUNTED AS INCOME FOR ANY PURPOSES UNDER STATE AND FEDERAL LAW

A poor person cannot be made to give up or limit any Constitutional rights because his or her children are receiving free meals. Your rights to privacy and freedom of association cannot be infringed upon.

IF YOUR RIGHTS ARE VIOLATED...

If your center's application is rejected, ignored, or delayed, or if an application is denied you — if any of the rights described here are violated, write describing your circumstances to:

Michael Kiley
Food Research and Action Center
25 West 43rd Street
New York, New York 10036 212—354-7866

For Legal Help:

Ron Pollack
Center on Social Welfare Policy and Law
25 West 43rd Street
New York, New York 10036 212—354-7670

The following office has an ongoing interest in the SFSPC; you may wish to also establish contacts with them.

U.S. Senate Select Committee
on Nutrition and Human Needs
127 "C" Street, NE
Suite 311
Washington, D.C.

Prepared by:

Food Research and Action Center
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